

PTO/SB/64 (10-05)
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-	FOR REVIVAL OF AN APPLICATION FOR NED UNINTENTIONALLY UNDER 37 CFR 1		Docket Number (Optional) 17570
First named	inventor: John Carter		
Application I	No.: 10/716,194	Art Unit: NA	
Filed: Novemb		Examiner: NA	
Title: DEVICE	S, SYSTEMS AND METHODS FOR SELECTING THE APPEARAN	CE OF A VIEWER D	SPLAYING DIGITAL CONTENT
Mail Stop Po Commission P.O. Box 14	er for Patents 50		
Alexandria, Y FAX (571) 2	VA 22313-1450 73-8300		
	NOTE: If information or assistance is needed in computation at (571) 272-3282.	pleting this form, p	please contact Petitions
action by the	dentified application became abandoned for failure to E United States Patent and Trademark Office. The date Period set for reply in the office notice or action plus an	e of abandonmen	t is the day after the expiration
•	APPLICANT HEREBY PETITIONS FOR REVIV	/AL OF THIS APP	PLICATION
	NOTE: A grantable petition requires the following item (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - refiled before June 8, 1995; and for all desig (4) Statement that the entire delay was uninte	equired for all utili n applications; an	
1.Petition fee	l entity-fee \$ <u>750</u> (37 CFR 1.17(m)). Applicant cl		status. See 37 CFR 1.27.
Othe	r than small entity – fee \$(37 CFR 1.1	7(m))	
2. Reply and A.	I/or fee The reply and/or fee to the above-noted Office action the form of REPLY TO NOTICE TO FILE MISSING PARTS has been filed previously on	(ident	ify type of reply):
В.	The issue fee and publication fee (if applicable) of \$ has been paid previously on is enclosed herewith.		

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[Page 1 of 2]

05/25/2006 SLUANG1 00000005 1071619 you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Terminal disclaimer with disclaimer fee	
Since this utility/plant application was filed on or after June 8, 19	95, no terminal disclaimer is required.
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_for other than a small entity) disclaiming the required period of times (20 (20 (20 (20 (20 (20 (20 (20 (20 (20	for a small entity or \$ me is enclosed herewith (see
PTO/SB/63). 4. STATEMENT: The entire delay in filing the required reply from the du filing of a grantable petition under 37 CFR 1.137(b) was unintentional Trademark Office may require additional information if there is a ques abandonment or the delay in filing a petition under 37 CFR 1.137(b) v subsections (III)(C) and (D)).]	. [NOTE: The United States Patent and tion as to whether either the
WARNING:	
Petitioner/applicant is cautioned to avoid submitting personal information in decontribute to identity theft. Personal information such as social security nunumbers (other than a check or credit card authorization form PTO-2038 submitte USPTO to support a petition or an application. If this type of personal inform USPTO, petitioners/applicants should consider redacting such personal informate to the USPTO. Petitioner/applicant is advised that the record of a patent appliof the application (unless a non-publication request in compliance with 37 CFR of a patent. Furthermore, the record from an abandoned application may also referenced in a published application or an issued patent (see 37 CFR 1.14). Colors submitted for payment purposes are not retained in the application file and	mbers, bank account numbers, or credit card tted for payment purposes) is never required by nation is included in documents submitted to the tion from the documents before submitting them cation is available to the public after publication 1.213(a) is made in the application) or issuance to be available to the public if the application is thecks and credit card authorization forms PTO-
11/1/11/12	05/23/2006
Signature	Date
MATTHEW BURR	37,591
Typed or printed name	Registration Number, if applicable
2219 WESTLAKE DRIVE, STE. 200	512-320-0601
Address	Telephone Number
AUSTIN, TEXAS 78746	
Address	
Enclosures: 🗸 Fee Payment	
✓ Reply	
Terminal Disclaimer Form	
✓ Additional sheets containing statements establishing	unintentional delay
Other:	
	101/107 050 4 9/6/1
CERTIFICATE OF MAILING OR TRANSMISS I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the depostage as first class mail in an envelope addressed to: No Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the Office as (571) 273-8300. 3/23/06	ate shown below with sufficient Mail Stop Petition, Commissioner for United States Patent and Trademark
Date John Mil	Signature
	name of person signing certificate
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINITENTIONALLY UNDER 37 CFR 1.137 (b)

First Named Inventor:

John Carter

Art Unit: NA

Application No.:

10/716,194

Examiner: NA

Title: DEVICES, SYSTEMS AND METHODS FOR SELECTING THE APPEARANCE

OF A VIEWER DISPLAYING DIGITAL CONTENT

Statement Establishing Unintentional Delay

The captioned patent application became abandoned on December 1, 2004, as the result of the unintentional failure to submit the Missing Parts before the expiration of the deadline to do so in reply to a Notice to File Missing Parts. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137 (b) was unintentional.

This petition is accompanied by the reply to the Notice to File Missing Parts, together with all the necessary fees for an applicant claiming small entity status, including the original filing fee, the late oath or declaration surcharge, the fee for a five (5) month extension of time, and the fee for this petition.

The Missing Parts were due 27 April, 2004, in response to a Notice to File Missing Parts mailed 27 February, 2004. The failure to file the Missing Parts on time was the result of a clerical error which caused the Missing Parts to be filed in the

attorney's file rather than mailed to the USPTO. Evidence in support of the claim that the delay was unintentional may be found by examining the Fax transmission date stamp on the Declaration (attached hereto as Exhibit "A") and Power of Attorney (Exhibit "B") of the Missing Parts, which establish that the Missing Parts were prepared in time for timely filing with the USPTO, save for the clerical error.

Additional evidence maybe found at the date of the check intended for submission with the Missing Parts to pay the filing fees. The date of the check is April 4, 2004 (Exhibit "C"). Further evidence that the delay was unintentional is a status check report dated September 17, 2004, which records an online attempt to determine the status of the application Serial No.: 10/716,194 (Exhibit "D") the Patent Office PAIR System. Still further evidence is the Transmittal form PTO/SB/21 (02-04) (Exhibit "E") which was contemporaneously completed for timely submission of the Missing Parts.

Under the belief that the required reply to the Notice to File Missing Parts had, in fact, been filed, the applicant's attorney misunderstood the results of the status check (Exhibit D) to mean that the application documents were being processed, that the application was being assigned to an Examiner, and that an Office Action on the merits would be forthcoming. In the experience of the applicant's attorney, two or even three years is within the range of the time period sometimes required for the issuance of an Office Action on the merits.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINITENTIONALLY UNDER 37 CFR 1.137 (b)

First Named Inventor: Application No.:

John carter

Art Unit: NA Examiner: NA

10/716,194

Devices, Systems And Methods For Selecting the Appearance of A Viewer Displaying Digital Content

Page 2 of 4

The unintentional delay in filing the required reply to the Notice to File

Missing Parts was discovered pursuant to a review of the application file. Upon

discovery of the clerical error, the applicant's attorney promptly telephoned the

Patent Office to determine the Status of the application and immediately prepared

the present petition.

The applicant's attorney respectfully and humbly petitions the Patent Office

not to punish the applicant for the failure of the applicant's attorney by denying this

petition. The applicant complied with all the requirements necessary to perfect the

patent application in a timely and complete manner. The applicant held a good faith

belief that application was "live" and took no action contrary to this belief.

A further consideration to grant this petition is the very real prejudice that

would accrue to the applicant if the petition is denied in view of any public

disclosures that may have occurred in the interim. The loss of the applicant's

priority date from denial of this petition would be an unfair and punitive outcome.

Accordingly, the applicant respectfully prays that the petition be granted and

that the applicant be made whole.

ISIGNATURE PAGE TO FOLLOW]

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINITENTIONALLY UNDER 37 CFR 1.137 (b)

First Named Inventor:

John carter

Art Unit: NA

Application No.: Title:

10/716,194

Examiner: NA

Devices, Systems And Methods For Selecting the Appearance of A Viewer Displaying Digital Content

Page 3 of 4

Respectfully submitted,

MATTHEW E. BURR

Registration No.: 37,591 Customer No.: 479000 MOSTER WYNNE

2210 Westlake Drive, Ste 200

Austin, TX 78746 (512) 320-0601

mburr@mosterwynne.com

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINITENTIONALLY UNDER 37 CFR 1.137 (b)

First Named Inventor:

John carter

Art Unit: NA

Application No.: Title: Devices

10/716,194

Examiner: NA

: Devices, Systems And Methods For Selecting the Appearance of A Viewer Displaying Digital Content

Page 4 of 4

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (c)) required)

Attorney Docket Number	17670
First Named Inventor	John Carter
COA	APLETE IF KNOWN
Application Number	10/716.194
Filing Date	11/18/2003
Art Unit	2673
Examiner Name	

I hereby declare that:					
Each inventor's residence, ma	iling address, a	nd citizenship are as	stated below next to	their name.	
I believe the inventor(a) named which a patent is sought on the	<u>e invention enti</u>	tled:			
DEVICES, SYSTEMS VIEWER DISPLAYING	AND METH	HODS FOR SEL	ECTING THE	APPEARAN	CE OF A
		(Title of the In	vention)		
the specification of which		•	,		
is attached hereto					
OR					
was filed on (MM/DD/Y	YYY)	11/18/2003	as United States A	Application Numb	ber or PCT International
Application Number US 1	0/718,194	and was emended o	on (MM/DD/YYYY)		(if applicable).
t hereby state that I have revise amended by any amendment :	wed and under specifically refe	stand the contents of med to above.	the above identified	specification, in	icluding the claims, as
I acknowledge the duty to discontinuation-in-part application and the national or PCT intern	ns, material info	ormation which beca	me available betwee	defined in 37 en the filing date	CFR 1.56, including for of the prior application
I hereby claim foreign priority	benefits unde	: 35 U.S.C. 119(a)-(d) or (f), or 365(b)	of any foreign	application(s) for patent,
inventor's or plant breeder's ri country other than the United	States of Amer	ica, listed below and	have also identified	below, by check	king the box, any foreign
application for patent, inventor before that of the application of	's or plant bree in which priority	der's rights certificate is claimed.	e(s), or any PCT into	emational applic	ation having a filing date
Prior Foreign Application Number(s)	Country	Foreign Filing (ority Ce	rtifled Copy Attached? Yes No
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Additional foreign applicat	tion numbers at	re listed on a supplem	nental priority data s	heet PTO/SB/02	B attached hereto.

[Pege 1 of 2]
This objection of Information is required by 35 U.S.C. 115 and 97 CFR 1.83. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This objection is estimated to take 21 milnutes to complete, including getnering, preparing, and submitting the completed application form to the USPTO. Time will very objection for the inclinical page. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. for 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:	Custome	er Number:			OR	V	Corres	pondence address below
Name								
Matthew Burr						,		
Address Lake Austin Marina, 2219 Westlake	Drive, Suits 200							
City				State				ZIP
Austin				Texas				78746
Country		Telephone			Fax			
USA		(512) 320-060			1 '	320-0		
I-hereby declare that all statem and belief are believed to be statements and the like so mad false statements may jeopardize	true; and fur le are punishal	ther that the bie by fine or	se state Impriso	ements we onment, or	re mad both, un	e with der 18	the kn	owiedge that willful telse
NAME OF SOLE OR FIRST IN	VENTOR:			etition has l	cen file	d for th	is unsig	ned inventor
Given Name (first and middle [if any])	Saku	Tho	wa.	1	Family or Sum	Name	Co	inter
inventor's			$\sum_{}$					Date
Signature								<u> </u>
Residence: City	State			Country	/ ^		Citize	enship
AUSIN	1880	15			SA			USH
Mailing Address			^		م مرا	-		
543 Ma	nehad	20~	4	<u> </u>	12-,	>		
City AUSTIN	State (ca s		ZIP	78	74.	S	Country
NAME OF SECOND INVENTO	R:			☐ A	petition	has be	en filed	for this unsigned inventor
Given Name (first and middle [if any])	•				Family h or Suma		_	
Inventor's Signature								Date
Residence: City	State			Country			Citize	anship
Mailing Address				<u> </u>		,		
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DECLARATION FOR UTILITY OR		
AFAFUITA II AIL AIL AIL AIL	First Named Inventor	1 .

DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted With Initial Filing

CR

Ceclaration
Submitted after Initial
Filling (surcharge
(37 CFR 1.16 (c)) mquired)

Attorney Docket Number	17870	`
First Named Inventor	John Carter	
COA	MPLETE IF KNOWN	
Application Number	10/716.194	
Filing Date	11/18/2003	
Art Unit	2673	
Examiner Name	47	/

I hereby declare that:					
Each inventor's residence, ma	iling address, a	nd citizenship are as state	of txen woled be	their name.	
I believe the inventor(a) name which a patent is sought on the	d below to be the invention enti	ne original and first invento tied:	or(s) of the subje	ct matter which is o	laimed and for
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		(Title of the inventi	on)		
the specification of which		·			
is attached hereto					
OR					
was filed on (MM/DD/Y	YYY)	11/18/2003 as	United States Ap	plication Number of	or PCT International
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t hereby state that I have revie amended by any amendment :	wed and under specifically refe	stand the contents of the red to above.	above identified	specification, include	ling the claims, as
I acknowledge the duty to discontinuation-in-part application and the national or PCT international contents.	ns, material info ational filing da	ormation which became a te of the continuation-in-p	vailable between art application.	n the filling data of	the prior application
I hereby claim foreign priority inventor's or plant breeder's ri country other than the United application for patent, inventor before that of the application of	benefits unde ghts certificate States of Amer 's or plant bree	r 35 U.S.C. 119(a)-(d) or (s), or 365(a) of any PCT ica, listed below and have der's rights certificate(s). is claimed.	(f), or 365(b) of international application also identified to	plication which des below, by checking mational application	ignated at least one the box, any foreign having a filing date
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Direct all correspondence to:	Custome	er Number:		70	R V	Corresp	nondence address below
Name							
Matthew Burr							
Address Lake Austin Marina, 2219 Westlake	Drive, Suite 200					`\	*
City			State		***		ZIP
Austin		•	Texas				78746
Country		Telephone		F	ax		
USA		(512) 320-0601			512) 320-0		
I hereby declare that all statem and belief are believed to be statements and the like so man false statements may jeopardize	e true; and fur de are punisha	ther that these s ble by fine or imp	staternents risonment,	were more both.	ade with under 18	the kno	wiedge that willful false
NAME OF SOLE OR FIRST IN	VENTOR:		A petition h	as been l	filed for th	is unsigr	ned inventor
Given Name (first and middle [if any])	Sahn	Thow	así		ily Name umame	Ca	nter
inventor's Signature				>			Date
Residence: City	State	15	Count	ŽSF	}	Citizer	nship USA
Mailing Address		^		سے i	C		
1 543 Ma	ncha(2C~ 14	PF	12	<u> </u>		
City AUSTIN	State TE	ca S		ZIP 7	874	S	Country S A
NAME OF SECOND INVENTO	IR:	•		A petitio	on has be	en filed f	or this unsigned inventor
Given Name (first and middle [if any])					y Name mame		
Inventor's Signature				, 1			Date
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Application Number	10/716,194
Filing Date	11/18/2003
First Named Inventor	. John Carter
Title	DEVICES, SYSTEMS AND METHODS F
Art Unit	2873
Examiner Name	
Attorney Docket Number	17570-0

Practitioners associated with the Customer Number: OR Practitioner(s) named below: Name Registration Number 37,591 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-mentioned Customer Number: OR
Practitioner(s) named below: Name Registration Number Matthew E. Burr 37,591 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-mentioned Customer Number:
Name Registration Number Matthew E. Burr 37,591 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith. Please recognize or change the correspondence address for the above-identified application to: The address associated with the above-mentioned Customer Number:
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The address associated with the above-mentioned Customer Number.
OR .
The address associated with Customer Number:
OR
Firm or Individual Name Moster Wynne
Address Leke Austin Marina
Address 2219 Westlake Drive, Ste 200 State Texas Zip 78746
and Australia
Country Telephone Fex
I <u>am</u> the:
Applicant/Inventor.
Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95)
SIGNATURE of Applicant or Assignee of Record
Name AAA News, Inc., of Austin, Texas
Signature Das I Das I Das I Das I
Date 4/7/24 Telephone 5/2-443-1064
NOTE: Signatures of all the inventors or essignees of record of the entire interest or their representative(s) are required. Submit multiple terms if more than one signature is required, see below.

This collection of information is required by 37 GFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 GFR 1.14. This collection is estimated to take 3 minutes to complete including galaction, preparing, and submitting the completed application from to the USPTO. Time will very depending upon the indMdual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Box 1459, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. 3END TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need essistance in completing the form, call 1-300-PTO-9199 and select option 2.



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PTO/SB/81 (09-03)

Under the Paperwork Reduction Act of 1895, no persons are required to n
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
to respond to a collection of information unless it displays a valid OMB control number.

Application Number 10/716,194

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Application Number	10/716,194
Filing Date	11/18/2003
First Named Inventor	John Carter
Title	DEVICES, SYSTEMS AND METHODS F
Art Unit	2673
Examiner Namo	
Attorney Docket Number	17570-0

I hereby appoint:				7		
Practitioners associated with the Customer Number.						
OR .						
Practitioner(s) named below:						
	Name		Registration Number			
Matthew E. Burr			37,691			
as my/our attorney(s) or agent(Trademark Office connected th	s) to prosecute the application identified grewith.	above, and to tr	arsact all business in	the United States Patent and		
Please recognize or change the correspondence address for the above-identified application to:						
The address associate	ed with the above-mentioned Customer I	Number:				
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The address associal	ted with Customer Number:					
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Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)						
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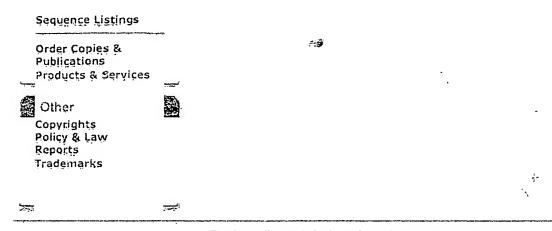


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